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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/099,916-Conf. #3588
		Filing Date	March 14, 2002
		First Named Inventor	John H. Oates
		Art Unit	2631
		Examiner Name	N. Hoque
Total Number of Pages in This Submission		Attorney Docket Number	102323-0096

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	NUTTER MCLENNEN & FISH LLP		
Signature			
Printed name	David J. Powsner		
Date	1-11-06	Reg. No.	31,868

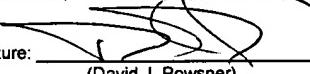
Transmittal

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 1-11-06

Signature:  (David J. Powsner)

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MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA
22313-1450.

Dated: 1-11-06 Signature: 
(David J. Powsner)

Docket No.: 102323-0096
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
John H. Oates

Application No.: 10/099,916

Confirmation No.: 3588

Filed: March 14, 2002

Art Unit: 2631

For: LOAD BALANCING COMPUTATIONAL
METHODS IN A SHORT-CODE SPREAD-
SPECTRUM COMMUNICATIONS SYSTEM

Examiner: N. Hoque

01/18/2006 MWOLGE1 00000009 10099916

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180.00 ~~pp~~

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the ~~references~~ listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 CFR 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56 (b).

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed ^{publication & references} references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 102323-0096. A duplicate copy of this paper is enclosed.

Dated: 1-11-06

Respectfully submitted,

By _____

David J. Powsner

Registration No.: 31,868

NUTTER MCCLENNEN & FISH LLP

World Trade Center West

155 Seaport Boulevard

Boston, Massachusetts 02210-2604

(617) 439-2717

(617) 310-9717 (Fax)

Attorney for Applicant

1490071.1



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**Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**

**Fee Transmittal
For FY 2005**

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\\$) 180.00	Attorney Docket No.	102323-0096
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Complete if Known

Application Number	10/099,916-Conf. #3588
Filing Date	March 14, 2002
First Named Inventor	John H. Oates
Examiner Name	N. Hoque
Art Unit	2631

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 141449 Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

<u>Fee Description</u>	<u>Small Entity</u>
Each claim over 20 (including Reissues)	50 25
Each independent claim over 3 (including Reissues)	200 100
Multiple dependent claims	360 180

Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims
Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
_____	- 100 = _____	/50 (round up to a whole number) x _____	= _____	<u>Fees Paid (\$)</u>

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement 180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	31,868	Telephone	(617) 439-2000
Name (Print/Type)	David J. Powsner	Date	i - 11 - 06		

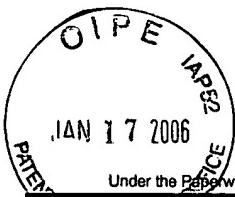
Fee Transmittal

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Dated: 1 - 11 - 06

Signature:

(David J. Powsner)



PTO/SB/08a/b (07-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/B/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

<i>Complete if Known</i>	
Application Number	10/099,916-Conf. #3588
Filing Date	March 14, 2002
First Named Inventor	John H. Oates
Art Unit	2631
Examiner Name	N. Hoque
Attorney Docket Number	102323-0096

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (<i>if known</i>)			
AA*	US-6,570,864		05-27-2003	Kim et al.	
AB*	US-6,011,812		01-04-2000	Laakso et al.	
AC*	US-6,154,443		11-28-2000	Huang et al.	
AD*	US-6,782,036		08-24-2004	Dowling et al.	
AE*	US-6,127,973		10-03-2000	Choi et al.	
AF*	US-2002/0118728A1		09-29-2002	Mohseni, Mohammad J.	
AG*	US-2003/0206577A1		11-06-2003	Liberti, Joseph Charles Jr. et al.	
AH*	US-2003/0002569		01-02-2003	Oates	
AI*	US-2003/0099225		05-29-2003	Oates	
AJ*	US-2003/0091106		05-15-2003	Oates	
AK*	US-2003/0091102		05-15-2003	Oates	
AL*	US-2003/0198197		10-23-2003	Oates	
AM*	US-2003/0128739		07-10-2003	Oates	
AN*	US-2003/0231702		12-18-2003	Oates	
AO*	US-2003/0191887		10-09-2003	Oates	
AP*	US-2003/0202559		10-30-2003	Oates	
AQ*	US-2003/0202566		10-30-2003	Oates	
AR*	US-2003/0076875		04-23-2003	Oates	
AS*	US-2003/0099224		05-29-2003	Oates	
AT*	US-2003/0103558		06-05-2003	Oates	
AU*	US-2003/0058929A1		03-27-2003	Cox, Earl C. et al.	
AV*	US-2004/0213329A1		10-28-2004	Takashi et al.	
AW*	US-2003/0091058		05-15-2003	Oates	
AX*	US-5,757,791		05-26-1998	Kanterakis et al.	
AY*	US-6,842,480		01-11-2005	Yang et al.	
AZ*	US-6,801,565		10-05-2004	Bottomley et al.	
AA1*	US-6,370,130		04-09-2002	Zhou et al.	
AB1*	US-6,067,292		05-23-2000	Huang et al.	
AC1*	US-5,644,592		07-01-1997	Divsalar et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (<i>if known</i>)				
BA	DE-198 41 578 A1		03-16-2000			
BB	EP-0 982875 A2		01-03-2000			

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. *CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
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